

REMARKS

The application has been amended and is believed to be in condition for allowance.

This amendment is being filed as part of an RCE application.

New dependent claims 17-19 are being presented.

An IDS is being separately filed.

The drawing figures were objected to for not including Prior Art legends in Figures 12-15. Responsively, drawing Figures 12-15 have been amended by the addition of a "Prior Art" legend to each figure.

Claims 8 and 10 have been amended responsive to the formal objection.

Prior claims 1-16 were rejected as obvious over KIMURA 6,172,351 in view of HOKARI et al. 6,618,087.

Independent claims 1, 13 and 15 were amended to recite that a wiring in a logic circuit part and a light shielding film covering a photoelectric conversion part are provided at a same level (first level) of a multilayer wiring layer.

In contrast, neither KIMURA nor HOKARI teach or suggest such a structure. Neither reference disclose a wiring layer in a logic part. Therefore, as neither reference teaches the recited structure, the combination of these references would not teach this structure.

More specifically, neither reference teaches a relative position of a light shielding film covering a photoelectric part and a wiring in a logic part. Therefore, as neither reference teaches the recited structure, the combination of these references would not teach this structure.

As the references, taken individually or in combination do not teach the recited structure, the independent claims are non-obvious.

The new dependent claims are also believed to patentably recite the present invention in that this structure is also believed to be non-obvious.

In view of the above, reconsideration and allowance of all the pending claims are respectfully requested.

Applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.

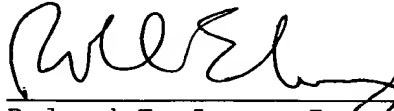
Should there be any remaining outstanding matters, it is requested that the undersigned attorney be contacted so that these can be resolved and the case passed to allowance.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. \$1.16 or under 37 C.F.R.\$1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item(s):

- ☐ - a terminal disclaimer
- ☐ - a 37 CFR 1.132 Declaration
- ☐ - a new or amended Abstract of the Disclosure
- ☒ - Replacement Sheets for Figures 12-15 of the drawings
- ☐ - a Substitute Specification and a marked-up copy of the originally-filed specification
- ☐ - a verified English translation of foreign priority document